

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VERLIN ALEXANDER,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A.No. 07-041-JJF
	:	
RUTH ANN MINNER, GOVERNOR,	:	
DELAWARE,	:	
CARL DANBERG, ATTORNEY	:	<u>TRIAL BY JURY DEMANDED</u>
GENERAL, DELAWARE	:	
	:	
Defendants.	:	

A N S W E R

Defendants, by and through their attorney, answer the civil complaint form as follows:

IV. Statement of claim. - Defendants are without sufficient information to form a belief as to the truth of these paragraphs.

First Defense

1. The complaint fails to state a legal claim for which relief can be granted.

Second Defense

2. The plaintiff has failed to properly exhaust his administrative remedies as required by law.

Third Defense

3. The matter is in whole, or in part, time barred under the appropriate statute of limitation, or repose or by some administrative time requirement.

Fourth Defense

4. The matter is barred by the Eleventh Amendment to the U.S. Constitution.

Fifth Defense

5. The district court lacks jurisdiction under Art. III, § 2, clause 2.

Sixth Defense

6. The complaint should be dismissed as service of process was improper or insufficient.

Seventh Defense

7. The Court lacks personal jurisdiction over defendants and the complaint should be dismissed.

WHEREFORE, the defendants ask for judgment in their favor for all that is just and proper, including dismissal of the action and assessment of costs against the plaintiff.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Marc P. Niedzielski
Marc P. Niedzielski (# 2616)
Deputy Attorney General
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Wilmington, DE 19801
(302) 577-8324
marc.niedzielski@state.de.us

DATED: September 7, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that on September 7, 2007, he caused two (2) copies of the attached document to be served on the following person by regular U.S. Mail:

NAME AND ADDRESS OF RECIPIENT(S):

Verlin Alexander
SBI 098778
DCC
1181 Paddock Road
Smyrna, DE 1977

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

/s/ Marc P. Niedzielski
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